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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/387,948 | 09/01/1999 | SACHIKO NOGUCHI | FUJI-16.475 | 3206 |

26304 7590 06/04/2003

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| EXAMINER |
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ABELSON, RONALD B

| ART UNIT | PAPER NUMBER |
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2666

DATE MAILED: 06/04/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/387,948

Applicant(s)

NOGUCHI, SACHIKO

Examiner

Ronald Abelson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8, 17-21, 23 and 24 is/are allowed.
- 6) ☐ Claim(s) 9, 15 and 22 is/are rejected.
- 7) ☒ Claim(s) 10-14 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 September 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Claim Rejections - 35 USC § 103

1. Claims 9 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over White (US 6,069,890) in view of Ramamurthy (US 6,304,565).

Regarding claim 9 and 22, White teaches a method and apparatus for a voice gateway (fig. 4 box 104) interconnecting IP networks (fig. 4 box 106) with other networks (fig. 4 box 102) for voice communication (col. 3 lines 40-44).

The voice gateway comprises a call-setup part that after detecting a call-setup request from one of the other networks (*82, col. 5 line 66 - col. 6 line 1), transmits a destination inquiring message to a predetermined voice gateway (CCIS query message, central office to which the called station is connected, col. 5 line 66 - col. 6 line 7), and after receiving a destination determination message from a destination voice gateway (col. 6 lines 26-29), performs a call setup towards a destination transport address, included in the destination determination message from the destination gateway (col. 6 lines 26-29).

The predetermined voice gateway (fig. 4 box 116) holds a route selection table (col. 7 lines 4-11).

White teaches the Internet (fig. 4 box 106) directly connected to a destination LEC (fig. 4 box 114). The reference

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is silent on the concept of the Internet being coupled to the destination LEC via a plurality of gateways.

Ramamurthy teaches the Internet (fig. 1 box 110) coupled to a PSTN (fig. 1 box 104) via a gateway (fig. 1 box 115). The PSTN is in turn coupled to a destination LEC via one or more gateways. The examiner corresponds the gateway (fig. 1 box 115) and the final gateway connecting the PSTN (fig. 1 box 104) and LEC (fig. 1 box 106) of Ramamurthy with the applicant's predetermined and destination gateways.

In the case where the predetermined voice gateway is not directly connected to a LEC via one gateway, it would be obvious that the route selection table connected to the predetermined gateway must compare the destination inquiring message with the route selection table, determine a route to the destination voice gateway and forward the destination inquiring message toward the destination voice gateway. Only after these steps are performed may the destination gateway inform the originating voice gateway (White: fig. 4 box 104) if call setup may proceed.

Therefore it would have been obvious to one of ordinary skill in the art, having both White and Ramamurthy before him/her and with the teachings [a] as shown by White, a voice gateway interconnecting IP networks with other networks for voice communication, and [b] as shown by Ramamurthy, the

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Internet connected to the destination LEC via a plurality of gateways, to be motivated to modify the system of White by connecting the Internet (fig. 1 box 106) directly to a PSTN instead of a LEC. Selecting an appropriate gateway to connect the two systems can perform this. This would improve the system by allowing for the system to be implemented on a larger scale.

2. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of White and Ramamurthy and as applied to claim 9 above, and further in view of Ho (US 6,452,922).

Although White teaches two networks for call setup (fig. 2), the reference is silent on a receiving part which receives a failure message in the case the destination message has been transmitted to the predetermined voice gateway but the destination cannot be detected and an alternate-cal-setup part which selects a network other than one of the IP networks to perform call setup when the failure message is received.

Ho teaches a receiving part (fig. 3 box 100) which receives a failure message in the case the destination message has been transmitted to the predetermined voice gateway but the destination cannot be detected and an alternate-cal-setup part which selects a network other than one of the IP networks (fig.

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3 box 106) to perform call setup when the failure message is received (col. 3 lines 5-12).

Therefore it would have been obvious to one of ordinary skill in the art, having both White and Ho before him/her and with the teachings [a] as shown by the combination of White and Ramamurthy, a method and apparatus for a voice gateway interconnecting IP networks with other networks for voice communication, and [b] as shown by Ho, a receiving part which receives a failure message in the case the destination message has been transmitted to the predetermined voice gateway but the destination cannot be detected and an alternate-cal-setup part which selects a network other than one of the IP networks to perform call setup when the failure message is received, to be motivated to modify the system of the combination of White and Ramamurthy by providing for a "loop back path" as taught by Ho. This modification can be performed in software. This would improve the system for allowing for an alternative network to perform call setup if the IP network is not functioning.

Allowable Subject Matter

3. Claims 1-8, 17-21, 23, and 24 are allowed.

Claims 10-14, and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten

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in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 1, 10 - 12, 16, 17, 23, and 24, nothing in the prior art of the record teaches or fairly suggests steering numbers, in combination with the other limitations listed in the claim.

Response to Arguments

4. Applicant's arguments filed 4/11/2003 have been fully considered but they are not persuasive.

The examiner disagrees with the applicant's contention that White teaches a full address database to be maintained at each voice gateway (applicant: pg. 12 lines 4-5). In contrast, White teaches a hierarchical distributed database (col. 8 lines 2 - 6)

Regarding the applicant's statement that White's Internet database 112 is equivalent to the second voice gateway (applicant: pg. 12 lines 9-10), the examiner has clarified this misunderstanding. Referring to White fig. 4, the first gateway is box 104 and the second is box 116).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald

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Abelson whose telephone number is (703) 306-5622. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (703) 308-5463. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

RA

Ronald Abelson
Examiner
Art Unit 2666

May 21, 2003

Seema S. Rao
SEEMA S. RAO 5/30/03
SUPERVISORY PATENT EXAMINER
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